HON'BLE SHRI G.S.SINGHVI, THE CHIEF JUSTICE

WRIT PETITION No.10500 of 1996

Between:

Golla Anjaneyulu …Petitioner.

AND

Mandal Revenue Officer,

Settur Mandal, Anantapur District

& others. …Respondents.

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:: O R D E R ::

Counsel for the Petitioner : Sri A. Bhaskara Chary

Counsel for Respondent No.1 : Government Pleader for Assignment

Counsel for Respondents 2 & 3 : None

12th APRIL 2006

Per G.S. Singhvi, CJ

The petitioner, Golla Anjaneyulu, Son of Hanumanthappa, who was assigned Ac.4.00 of dry land comprised in Survey No.18-7 of Kairevu Village, Settur Mandal, Anantapaur District, and was issued D-Form patta by Tahsildar, Kalyandurg on 30.6.1979, has filed this petition for issuance of a writ in the nature of mandamus to Mandal Revenue Officer, Settur Mandal, Anantapur District to demarcate the land

allotted to him so that respondents 2 and 3 may not be able to dispossess him.

In the affidavit filed by him, the petitioner has averred that he is in possession of the assigned land since 1979, but on the basis of assignment made in favour of respondent No.2, the private respondents are seeking to forcibly dispossess him.

The notice of the writ petition was served on respondents 2 and 3 some time in 1996, but neither of them has filed counter affidavit to controvert the averments contained in the writ petition.

I have heard Sri A. Bhaskara Chary, learned counsel for the petitioner and the learned Government PIeader for Assignment.

Since, respondent No.1. i.e., Mandal Revenue Officer has not controverted the averments contained in the writ petition, it is reasonable to presume that the petitioner has been in possession of the assigned land since 1979. It is also reasonable to presume that on the basis of the assignment made in favour of respondent No.2, attempts are being made by respondents 2 and 3 to disturb the possession of the petitioner.

In the premise aforesaid, the writ petition is disposed of with the direction to Mandal Revenue officer, Settur Mandal to demarcate the land assigned to the petitioner in 1979. The needful be done within a period of two months from the date of receipt of a copy of this order.

If the officer concerned has already demarcated the land, then he need not undertake fresh demarcation in pursuance of this order.

12th April, 2006 G.S. SINGHVI, CJ

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